



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 78** HLS 10RS 317
Bill Text Version: **REENGROSSED**
Opp. Chamb. Action:

Proposed Amd.:
Sub. Bill For.:

Date: May 14, 2010 1:48 PM	Author: LIGI, TONY
Dept./Agy.: Division of Administrative Law	
Subject: Administrative Hearings for DHH, DSS, DOE	Analyst: Evelyn McWilliams

ADMIN LAW/DIVISIONRE SEE FISC NOTE SD EXPage 1 of 1

Requires the departments of health and hospitals, social services, and education to delegate certain hearing and adjudication functions to the division of administrative law

Provides for certain adjudication and hearings functions of the departments of health and hospitals, social services, and education to be transferred to the Division of Administrative Law, except where the delegation of such functions and adjudication is specifically prohibited by federal law.

EXPENDITURES	2010-11	2011-12	2012-13	2013-14	2014-15	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2010-11	2011-12	2012-13	2013-14	2014-15	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

If implementation of the proposed legislation includes the transfer of positions to the Division of Administrative Law (DAL), and assuming that all DAL employees working in Baton Rouge will be housed at the same location, additional funding for rent and office furniture may be required. The DAL may not be able to accommodate additional employees at its current location. Since the DAL is primarily funded with interagency transfers revenue received from other agencies, any increased funding provided the DAL for rent and office furniture will necessitate a corresponding increase in expenditures for the sending agency. For the sending agencies, this increase is currently not provided for in its FY11 recommended budget. Neither the Legislative Fiscal Office (LFO) nor the Division of Administrative Law (DAL) can estimate the expenditure impact of the proposed legislation. Due to the exemption prohibiting the delegation of certain adjudication functions handled by the Department of Health and Hospitals, the Department of Social Services and the Department of Education to the DAL, the number of nonexempt cases that would ultimately be handled by the DAL cannot be determined at this time. As well, the DAL is not able to provide an estimate of the costs for conducting the hearings for these agencies without prior review of the nonexempt cases on file, staff available for transfer and operational needs. Until the exempted cases are identified and the DAL has had an opportunity to review the nonexempt cases, the LFO cannot estimate the expenditure impact resulting from passage of this legislation.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate

☐ 13.5.1 >= \$100,000 Annual Fiscal Cost

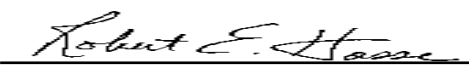
☐ 13.5.2 >= \$500,000 Annual Tax or Fee Change

Dual Referral Rules

House

☐ 6.8(F) >= \$100,000 Annual SGF Cost

☐ 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease



Robert E. Hosse
LFO Staff Director